

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:19-cv-01460-MWF-SS**

Daniel Kissick v. American Residential Services, LLC  
Assigned to: Judge Michael W. Fitzgerald  
Referred to: Magistrate Judge Suzanne H. Segal  
Cause: 47:0227 Violation of Telephone Consumer Protection Act

Date Filed: 02/27/2019  
Date Terminated: 07/18/2019  
Jury Demand: Plaintiff  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Daniel Kissick**  
*on behalf of himself and all others similarly  
situated*

represented by **Lawrence Timothy Fisher**  
Bursor and Fisher PA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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V.

**Defendant**

**American Residential Services, LLC**

represented by **Amanda C Sommerfeld**  
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**Erna Mamikonyan**

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*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/27/2019	<u>1</u>	COMPLAINT Receipt No: 0973-23287417 – Fee: \$400, filed by Plaintiff Daniel Kissick. (Attorney Lawrence Timothy Fisher added to party Daniel Kissick(pty:pla))(Fisher, Lawrence) (Entered: 02/27/2019)
02/27/2019	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff Daniel Kissick. (Fisher, Lawrence) (Entered: 02/27/2019)
02/27/2019	<u>3</u>	NOTICE of Interested Parties filed by Plaintiff Daniel Kissick, (Fisher, Lawrence) (Entered: 02/27/2019)
02/27/2019	<u>4</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening) <u>1</u> filed by Plaintiff Daniel Kissick. (Fisher, Lawrence) (Entered: 02/27/2019)
02/28/2019	<u>5</u>	NOTICE OF ASSIGNMENT to District Judge Michael W. Fitzgerald and Magistrate Judge Suzanne H. Segal. (et) (Entered: 02/28/2019)
02/28/2019	<u>6</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (et) (Entered: 02/28/2019)
02/28/2019	<u>7</u>	21 DAY Summons Issued re Complaint (Attorney Civil Case Opening) <u>1</u> as to Defendant American Residential Services, LLC. (et) (Entered: 02/28/2019)
04/03/2019	<u>8</u>	STIPULATION Extending Time to Answer the complaint as to American Residential Services, LLC answer now due 4/24/2019, re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant American Residential Services, LLC.(Attorney Erna Mamikonyan added to party American Residential Services, LLC(pty:dft))(Mamikonyan, Erna) (Entered: 04/03/2019)
04/03/2019	<u>9</u>	PROOF OF SERVICE Executed by Plaintiff Daniel Kissick, upon Defendant American Residential Services, LLC served on 3/13/2019, answer due 4/24/2019. Service of the Summons and Complaint were executed upon Glenda Sheppard, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity.Original Summons NOT returned. (Fisher, Lawrence) (Entered: 04/03/2019)
04/23/2019	<u>10</u>	Second STIPULATION Extending Time to Answer the complaint as to American Residential Services, LLC answer now due 5/3/2019, re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant American Residential Services, LLC.(Mamikonyan, Erna) (Entered: 04/23/2019)

04/30/2019	<u>11</u>	Third STIPULATION for Extension of Time to File Answer to May 10, 2019 re Complaint (Attorney Civil Case Opening) <u>1</u> filed by Defendant American Residential Services, LLC. (Attachments: # <u>1</u> Proposed Order GRANTING THIRD STIPULATION TO EXTEND TIME TO RESPOND TO INITIAL COMPLAINT)(Mamikonyan, Erna) (Entered: 04/30/2019)
05/01/2019	<u>12</u>	ORDER GRANTING THIRD STIPULATION TO EXTEND TIME TO RESPOND TO INITIAL COMPLAINT <u>11</u> by Judge Michael W. Fitzgerald. Defendant's deadline to file a response to Plaintiffs Complaint is extended through May 10, 2019. (iv) (Entered: 05/01/2019)
05/10/2019	<u>13</u>	NOTICE of Interested Parties filed by Defendant American Residential Services, LLC, identifying ReachLocal; ARS Aquisition Holdings, LLC; ARS Intermediate Holdings, LLC. (Mamikonyan, Erna) (Entered: 05/10/2019)
05/10/2019	<u>14</u>	NOTICE OF MOTION AND MOTION to Dismiss Case or (2) <i>In the Alternative, Transfer Venue to the Western District of Tennessee, or (3) in Further Alternative, Motion to Dismiss Allegations of Non-California Putative Class Members</i> filed by Defendant American Residential Services, LLC. Motion set for hearing on 6/24/2019 at 10:00 AM before Judge Michael W. Fitzgerald. (Attachments: # <u>1</u> Declaration) (Mamikonyan, Erna) (Entered: 05/10/2019)
05/14/2019	<u>15</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Motion to Dismiss <u>14</u> . The following error(s) was/were found: Proposed order not submitted pursuant to Local Rule 52-4.1. A Word or Wordperfect version of the proposed order should also be emailed to the chambers generic email address. See Local Rule 5-4.4.1- Electronic Lodging of Proposed Orders. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. (iv) (Entered: 05/14/2019)
05/15/2019	<u>16</u>	NOTICE OF LODGING filed <i>PROPOSED ORDER</i> re NOTICE OF MOTION AND MOTION to Dismiss Case or (2) <i>In the Alternative, Transfer Venue to the Western District of Tennessee, or (3) in Further Alternative, Motion to Dismiss Allegations of Non-California Putative Class Members</i> <u>14</u> (Attachments: # <u>1</u> Proposed Order)(Mamikonyan, Erna) (Entered: 05/15/2019)
05/20/2019	<u>17</u>	APPLICATION of Non-Resident Attorney James Todd Kennard to Appear Pro Hac Vice on behalf of Defendant American Residential Services, LLC (Pro Hac Vice Fee - \$400 Fee Paid, Receipt No. 0973-23768142) filed by Defendant American Residential Services, LLC. (Attachments: # <u>1</u> Proposed Order) (Mamikonyan, Erna) (Entered: 05/20/2019)
05/22/2019	<u>18</u>	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE PRO HAC VICE by Judge Michael W. Fitzgerald: GRANTING <u>17</u> Non-Resident Attorney J. Todd Kennard APPLICATION to Appear Pro Hac Vice on behalf of Defendant American Residential Services, LLC, designating Erna Mamikonyan as local counsel. (lt) (Entered: 05/22/2019)
05/31/2019	<u>19</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Erna Mamikonyan counsel for Defendant American Residential Services, LLC. Adding Amanda C. Sommerfeld as counsel of record for American Residential Services, LLC for the reason indicated in the G-123 Notice. Filed by Defendant American Residential Services, LLC. (Mamikonyan, Erna) (Entered: 05/31/2019)
05/31/2019	<u>20</u>	STIPULATION to Continue Defendant's Motion to Dismiss from June 24, 2019 to July 15, 2019 filed by Plaintiff Daniel Kissick. (Attachments: # <u>1</u> Proposed Order)(Fisher, Lawrence) (Entered: 05/31/2019)
05/31/2019	<u>21</u>	ORDER RE STIPULATION TO CONTINUE MOTION HEARING AS TO DEFENDANT'S MOTION TO DISMISS <u>20</u> by Judge Michael W. Fitzgerald. The Motion Hearing as to Defendant's (1) Motion to Dismiss or (2) <i>In the Alternative, Transfer Venue to the Western District of Tennessee, or (3) In Further Alternative, motion to dismiss allegations of non-California Putative Class Members</i> (ECF No. <u>14</u> ) (Motion) set for 6/24/2019 is RESET for 7/15/2019 at 10:00 AM in

		Courtroom 5A before District Judge Michael W. Fitzgerald. Pursuant to the parties' agreement, Motion related briefing deadlines are reset as follows: (1) Plaintiff shall file a response by June 17, 2019 and (2) Defendant shall file any reply by July 1, 2019. (lom) (Entered: 06/03/2019)
06/17/2019	<u>22</u>	MEMORANDUM in Opposition to NOTICE OF MOTION AND MOTION to Dismiss Case <i>or (2) In the Alternative, Transfer Venue to the Western District of Tennessee, or (3) in Further Alternative, Motion to Dismiss Allegations of Non-California Putative Class Members 14</i> filed by Plaintiff Daniel Kissick. (Fisher, Lawrence) (Entered: 06/17/2019)
07/01/2019	<u>23</u>	REPLY IN SUPPORT OF ITS NOTICE OF MOTION AND MOTION to Dismiss Case <i>or (2) In the Alternative, Transfer Venue to the Western District of Tennessee, or (3) in Further Alternative, Motion to Dismiss Allegations of Non-California Putative Class Members 14</i> filed by Defendant American Residential Services, LLC. (Mamikonyan, Erna) (Entered: 07/01/2019)
07/08/2019	<u>24</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Blair Elizabeth Reed counsel for Plaintiff Daniel Kissick. Adding Blair E. Reed as counsel of record for Daniel Kissick for the reason indicated in the G-123 Notice. Filed by Plaintiff Daniel Kissick. (Attorney Blair Elizabeth Reed added to party Daniel Kissick(pty:pla))(Reed, Blair) (Entered: 07/08/2019)
07/15/2019	<u>25</u>	MINUTES (IN CHAMBERS)MOTION TO DISMISS <u>14</u> by Judge Michael W. Fitzgerald: Arguments by counsel are heard. For the reasons stated on the record,the Court takes the matter under submission. An order will issue. (See minutes for further details) (yl) (Entered: 07/15/2019)
07/18/2019	<u>26</u>	MINUTES (In Chambers): ORDER RE: MOTION TO DISMISS OR IN THE ALTERNATIVE, TRANSFER VENUE TO THE WESTERN DISTRICT OF TENNESSEE, OR IN FURTHER ALTERNATIVE, MOTION TO DISMISS ALLEGATIONS OF NON-CALIFORNIA PUTATIVE CLASS MEMBERS <u>14</u> by Judge Michael W. Fitzgerald. The Motion is GRANTED in part to the extent it seeks to transfer the action to the Western District of Tennessee and is otherwise DENIED without prejudice. ( MD JS-6. Case Terminated ) (lom) (Entered: 07/18/2019)